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IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF ARKANSAS **FAYETTEVILLE DIVISION**

DAVID DANIELS **PLAINTIFF**

> Civil No. 06-5205 v.

SHERIFF KEITH FERGUSON: CAPTAIN PETRAY; LT. CARTER;

SGT. FAULKENBURY; and SGT. NANCE **DEFENDANTS**

ORDER

Defendants have filed a motion for summary judgment (Doc. 43). To assist plaintiff in responding to the motion, the court is propounding a questionnaire. The court will consider plaintiff's response to the questionnaire in issuing a report and recommendation on the summary judgment motion.

For this reason, David Lee Daniels is hereby directed to complete, sign, and return the attached response to defendants' summary judgment motions on or before January 14, 2008. Plaintiff's failure to respond within the required period of time may subject this matter to dismissal for failure to comply with a court order.

IT IS SO ORDERED this 14th day of December 2007.

HON. JAMES R. MARSCHEWSKI

|s| J. Marschewski

UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF ARKANSAS FAYETTEVILLE DIVISION

DAVID DANIELS					PLAINTIFF
v.	Civil No.	06-5205			
SHERIFF KEITH FERGUSON; CAPTAIN PETRAY; LT. CARTER; SGT. FAULKENBURY; and SGT. N					DEFENDANTS
RESPONSE TO S	SUMMAR	Y JUDG	MENT	MOTION	<u>N</u>
TO: DAVID LEE DANIELS					
These questions and answers	will serve	as your re	esponse t	o the mot	ion for summary
judgment filed by the defendants. You	ou may use	addition	al sheets	of paper i	in responding to
these questions. You must file this re	esponse by	January	14, 200	8.	
1. You were booked into the	Benton Co	ounty Det	ention C	enter (BC	DC) on charges of
rape and sexual assault on December	28, 2005.	You wer	e to be h	eld for a b	oond hearing.
Agree Disagree	Withou	ıt knowle	dge to ag	gree or dis	sagree
If you disagree, explain. In ex	xplaining, _l	please ref	er to the	Defendar	nts' Exhibit 1.
2. The jail policy with respect					-
maintain relationships with family ar	nd friends a	nd that v	isiting is	scheduled	d on a regular

basis, limited by the physical and personnel constraints of the jail.

	AgreeD	oisagree	Without knowledge	to agree or disagree	
	If you disagree,	explain. In exp	plaining, please refer to	Defendants' Exhibit 2 at page	9
	1.				
	3. The jail police	cy regarding dis	scipline provides the p	rocedures to be used for	
discipli	nary actions and	the limitations	s to the disciplinary act	ions.	
	AgreeD	oisagree	Without knowledge	to agree or disagree	
	If you disagree,	explain. In exp	plaining, please refer to	Defendants' Exhibit 2 at page	es
	4-11.				
	4. The policy ro	egarding inmate	e hygiene states that in	mates confined to a housing ur	nit
are prov	vided availabilit	y to showers or	a daily basis with the	exception of inmates on lock-	
down st	tatus. Inmates c	on lock-down st	atus are allowed to sho	ower at least every three days.	
	AgreeD	oisagree	Without knowledge	to agree or disagree	
	If you disagree,	explain. In exp	plaining, please refer to	Defendants' Exhibit 2 at page	3
	12.				

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5 You v	vere afforded access	s to a shower at least once	e every three days while on loo
		s to a snower at least ones	overy times days winte on too
down status at th	e BCDC.		
Agree	Disagree	Without knowledge	to agree or disagree
If you dis	sagree, explain.		
II jour air	, ag. 64, 614p 141111		
6. The B		es that inmate telephone	
	CDC policy provid	es that inmate telephone	calls are collect with the
exception of nun	CDC policy provid	es that inmate telephone che Benton County Jail Ac	calls are collect with the
exception of nun	CDC policy provid	es that inmate telephone	calls are collect with the
exception of num Agree	CDC policy providnbers approved by t	es that inmate telephone che Benton County Jail Ac	calls are collect with the
exception of nun Agree If you dis	CDC policy providnbers approved by t	es that inmate telephone che Benton County Jail Ac	calls are collect with the dministration. to agree or disagree
exception of num Agree	CDC policy providnbers approved by t	es that inmate telephone che Benton County Jail Ac	calls are collect with the dministration. to agree or disagree
exception of nun Agree If you dis	CDC policy provid nbers approved by t Disagree sagree, explain. In a	es that inmate telephone che Benton County Jail Ac	calls are collect with the dministration. to agree or disagree
exception of nun Agree If you dis	CDC policy providenbers approved by t Disagreesagree, explain. In a	es that inmate telephone of the Benton County Jail Acoustic Mithout knowledge explaining, please refer to	calls are collect with the dministration. to agree or disagree Defendants' Exhibit 2 at pag
exception of nun Agree If you dis	CDC policy providenbers approved by t Disagreesagree, explain. In a	es that inmate telephone of the Benton County Jail Action Without knowledge explaining, please refer to	calls are collect with the dministration. to agree or disagree Defendants' Exhibit 2 at pag
exception of nun Agree If you dis	CDC policy providenbers approved by to Disagreesagree, explain. In a	es that inmate telephone of the Benton County Jail Acoustic Mithout knowledge explaining, please refer to	calls are collect with the dministration. to agree or disagree Defendants' Exhibit 2 at pag
exception of nun Agree If you dis	CDC policy providenbers approved by to Disagreesagree, explain. In a	es that inmate telephone che Benton County Jail Active Without knowledge explaining, please refer to	calls are collect with the dministration. to agree or disagree Defendants' Exhibit 2 at pag
Agree If you dis	CDC policy providenbers approved by to Disagreesagree, explain. In a	es that inmate telephone of the Benton County Jail Active Without knowledge explaining, please refer to	calls are collect with the dministration. to agree or disagree Defendants' Exhibit 2 at pag

the BCDC allowed inmates to make calls as a privilege only and that all calls are collect with
the exception of bail bond companies and other numbers previously approved by the Sheriff.
Agree Disagree Without knowledge to agree or disagree
If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3.
8. The call detail report for you from December 28, 2005, until January 5, 2007,
shows you had continued access to a telephone during your incarceration.
Agree Disagree Without knowledge to agree or disagree
If you disagree, explain. In explaining, please refer to Defendants' Exhibit 4.
9(A). The activity report indicates you participated in multiple activities during your
incarceration at the BCDC.
Agree Disagree Without knowledge to agree or disagree
If you disagree, explain. In explaining, please refer to Defendants' Exhibit 5.

	6-cv-0520									7. O
	(B). You	were provi	ided with	oppor	tunities to ex	ercise	outside	your cel	ll on a re	gula
basis.	,	1		11					·	_
oasis.	4	ъ:		****	.1 .1 1	1 .		1.		
	Agree	Disagi	ree	W1	thout knowle	edge to	agree c	r disagr	ee	
	If you disa	igree, expl	ain.							
	(C). You	could perf	orm basic	e exerc	ise such as si	it-ups	and run	ning in p	place in y	our
cell.	(C). You	could perf	orm basic	e exerc	ise such as si	it-ups	and runr	ning in p	blace in y	our
cell.	(C). You				ise such as si					our
cell.	Agree	Disagı	ree							our
cell.		Disagı	ree							our
cell.	Agree	Disagı	ree							rour
cell.	Agree	Disagı	ree							our
cell.	Agree	Disagı	ree							rour
cell.	Agree	Disagı	ree							rour
cell.	Agree	Disagn	reeain.	Wi	thout knowle	edge to	agree o	or disagr		our
cell.	Agree If you disa (D). Whe	Disagn	ain.	Wi	thout knowle	edge to	agree o	or disagr	ee	our
cell.	Agree If you disa (D). Whe	Disagn	e not on lo	Wi	thout knowle	edge to	agree o	or disagr	ee	rour

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	10. In your comp	olaint you allege yo	ou were locked dov	wn on January 10, 2005. Do y
mean	January 10, 2006?			
	Answer: Yes	No		
	If you answered r	no, please explain.		
	11. Please state:	(a) why you were	placed on lock-do	wn; (b) whether you were give
a disc	ciplinary; (c) whether	er you were found	guilty of the discip	olinary violation; and (d) how
long	you remained on loc	ck-down.		

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	12. On February 22, 2006, you were given a disciplinary for concealing items from
the jai	l staff.
	Agree Disagree Without knowledge to agree or disagree
	Agree Disagree without knowledge to agree of disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pag
	1.
	13(A). You were provided with written notice of the violation and a hearing was
	15(1). Tou were provided with written house of the violation and a hearing was
held.	
	Agree DisagreeWithout knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pag
	if you disagree, explain. In explaining, please feler to Defendants. Exhibit o at pag
	1.

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	(D) Voy ware provided written notice of the disciplinary violation and a bearing w
	(B). You were provided written notice of the disciplinary violation and a hearing w
held.	
	Agree DisagreeWithout knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pag
	1.
	1.
	(C). You were found guilty of the violation. You appealed the decision and the
decisi	(C). You were found guilty of the violation. You appealed the decision and the on was affirmed.
decisi	on was affirmed.
decisi	on was affirmed. Agree Disagree Without knowledge to agree or disagree
decisi	on was affirmed. Agree Disagree Without knowledge to agree or disagree
decisi	on was affirmed. Agree Disagree Without knowledge to agree or disagree
decisi	on was affirmed. Agree Disagree Without knowledge to agree or disagree If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
decisi	on was affirmed. Agree Disagree Without knowledge to agree or disagree If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
decisi	on was affirmed. Agree Disagree Without knowledge to agree or disagree If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
decisi	on was affirmed. Agree Disagree Without knowledge to agree or disagree If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
decisi	on was affirmed. Agree Disagree Without knowledge to agree or disagree If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pag 1.
decisi	on was affirmed. Agree Disagree Without knowledge to agree or disagree If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pag 1.

ase 5:06-cv-05205-JLH Document 52 Filed 12/14/07 Page 11 of 46 PageID #: 358 deputy. Agree Disagree Without knowledge to agree or disagree . If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page 3. (B). You were given a written notice of the disciplinary violation and a hearing was held. Agree Disagree Without knowledge to agree or disagree . If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page 3. (C). You were found guilty and given ten days lock-down and loss of privileges. Agree Disagree Without knowledge to agree or disagree . If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page 3.

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	(D). You appealed and the decision was affirmed.
	AgreeWithout knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pa
	3.
	16(A). On March 22nd you were given a disciplinary for exiting the cell without
wearii	16(A). On March 22nd you were given a disciplinary for exiting the cell without ng your uniform in the correct manner.
wearii	
wearir	ng your uniform in the correct manner. Agree Disagree Without knowledge to agree or disagree
wearii	ng your uniform in the correct manner.
wearii	ng your uniform in the correct manner. Agree Disagree Without knowledge to agree or disagree
wearii	Agree Disagree Without knowledge to agree or disagree If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pa
wearii	Agree Disagree Without knowledge to agree or disagree If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pa
wearii	Agree Disagree Without knowledge to agree or disagree If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pa
wearii	Agree Disagree Without knowledge to agree or disagree If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pa
wearii	Agree Disagree Without knowledge to agree or disagree If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pa
wearii	Agree Disagree Without knowledge to agree or disagree If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pa
wearii	Agree Disagree Without knowledge to agree or disagree If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pa
wearii	Agree Disagree Without knowledge to agree or disagree If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pa 4.
wearii	Agree Disagree Without knowledge to agree or disagree If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pa

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4. (C). You w	ree, explain.	In explaining, please refer to Defendants' Exhibit 6 at p
(C). You w		
	ere found gui	ilty and given five days lock-down.
Agree	_ Disagree_	Without knowledge to agree or disagree
If you disagn	ree, explain.	In explaining, please refer to Defendants' Exhibit 6 at p
4.		
(D). You ap	opealed and the	he decision was affirmed.
Agree	_ Disagree_	Without knowledge to agree or disagree
If you disagn	ree, explain.	In explaining, please refer to Defendants' Exhibit 6 at p
4.		

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5.

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	(D). You a	appealed and the	decision	was affirmed.	
	Agree	Disagree	Wit	hout knowledge	to agree or disagree
	If you disa	gree, explain. In	explainir	ng, please refer to	o Defendants' Exhibit 6 at page
	5.				
	19(A) On	Moy 16th you w	oro givon	a disainlinary fa	or concealing items from jail
	16(A). On	i May Tolli you w	ere given	a discipiniary id	or concearing items from jair
staff.					
	Agree	Disagree	Wit	hout knowledge	to agree or disagree
				_	
	If you disa	gree, explain. In	explainir	ig, please refer to	o Defendants' Exhibit 6 at page
	6.				
	(B). You v	were given a writt	ten notice	e of the disciplin	ary violation and a hearing was
				-15-	

lase 5:06-cv-05205-JLH Document 52 Filed 12/14/07 Page 16 of 46 PageID #: 363 held. Agree Disagree Without knowledge to agree or disagree . If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page 6. (C). You were found guilty and given ten days lock-down. Agree Disagree Without knowledge to agree or disagree . If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page 6. (D). You appealed and the decision was affirmed. Agree Disagree Without knowledge to agree or disagree . If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page 6.

	19(A). On May 16th you were also given a disciplinary for placing items on the ce
walls.	15(11). On May 10th you were also given a disciplinary for placing feeling on the ee
waiis.	A cure Diseases With out law and a dec to a cure ou diseases
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pag
	7.
	(B). You were given a written notice of the disciplinary violation and a hearing wa
held.	
	Agree DisagreeWithout knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pag
	7.
	(C). You were found guilty and given five days lock-down and loss of privileges.

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for concea	ling items from jail staff.
Ag	ree Disagree Without knowledge to agree or disagree
Ify	you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
7.	
(D). You appealed and the decision was affirmed.
Ag	ree Disagree Without knowledge to agree or disagree
Ify	you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
7.	
20.	(A). On May 16th you were given a disciplinary for disobeying the order of a
deputy.	
Ag	ree Disagree Without knowledge to agree or disagree
If y	you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
8.	

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	(B). You were given a written notice of the disciplinary violation and a hearing wa
held.	
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
	8.
	(C). You were found guilty and given ten days lock-down.
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
	8.
	(D). You appealed and the decision was affirmed.

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e 5:06	-cv-05205-JLH Document 52 Filed 12/14/07 Page 21 of 46 PageID #:
	(C). You were found guilty and given thirty days lock-down and loss of privileges
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pa
	9.
	·
	(D). You appealed and the decision was affirmed.
	Agree DisagreeWithout knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
	9.
	22(A). On May 20th you were given a disciplinary for possession of unauthorized
bjects.	
	Agree DisagreeWithout knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pa
	·

(Rev. 8/82)

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	10.
	(B). You were given a written notice of the disciplinary violation and a hearing was
held.	
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
	10.
	(C). You were found guilty and given ten days lock-down and loss of privileges.
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
	10.

	(D). You appealed and the decision was affirmed.
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
	10.
	23(A). On June 6th you were given a disciplinary for storing food.
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
	11.
	(B). You were given a written notice of the disciplinary violation and a hearing was
held.	
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
	11.

C J.00	6-cv-05205-JLH Document 52 Filed 12/14/07 Page 24 of 46 PageID #:
	(C). You were found guilty and given five days lock-down and loss of privileges.
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pa
	11.
	(D). You appealed and the decision was affirmed.
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pa
	11.
	24(A). On June 18th you were given a disciplinary for concealing items from the
	24(A). On June 18th you were given a disciplinary for conceaning items from the
staff.	

Case 5:06-cv-05205-JLH Document 52 Filed 12/14/07 Page 25 of 46 PageID #: 372 If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page 12. (B). You were given a written notice of the disciplinary violation and a hearing was held. Agree Disagree Without knowledge to agree or disagree . If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page 12. (C). You were found guilty and given ten days lock-down and loss of privileges. Agree Disagree Without knowledge to agree or disagree . If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page 12.

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13.				
(C).	You were fo	ound guilty an	d given ten days lock-	down and loss of privileges.
Agree	e Di	sagree	Without knowledge	to agree or disagree
If you	disagree, e	explain. In exp	plaining, please refer t	o Defendants' Exhibit 6 at page
13.				
(D).	You appeal	ed and the dec	cision was affirmed.	
. ,			cision was affirmed. Without knowledge	to agree or disagree
Agree	eDi	sagree	Without knowledge	to agree or disagree o Defendants' Exhibit 6 at page
Agree	eDi	sagree	Without knowledge	
Agree If you	eDi	sagree	Without knowledge	
Agree If you	eDi	sagree	Without knowledge	
Agree If you 13.	eDi	sagreeexplain. In ex	Without knowledge	

ase 5:06-cv-05205-JLH Document 52 Filed 12/14/07 Page 28 of 46 PageID #: 375 of a deputy. Agree Disagree Without knowledge to agree or disagree . If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page 14. (B). You were given a written notice of the disciplinary violation and a hearing was held. Agree Disagree Without knowledge to agree or disagree . If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page 14. (C). You were found guilty and given ten days lock-down and loss of privileges. Agree Disagree Without knowledge to agree or disagree . If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page

14.

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	(D). You appealed and the decision was affirmed.
	Agree DisagreeWithout knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pa
	14.
	27(A). On September 6th you were given a disciplinary for possession of contral
	AgreeWithout knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at pa
	15.
	(B). You were given a written notice of the disciplinary violation and a hearing v
eld.	

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	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
	15.
	(C). You were found guilty and given thirty days lock-down and loss of privileges.
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
	15.
	(D). You appealed and the decision was affirmed.
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
	15.

	28(A). On September 6th it looks like you were given a second disciplinary for
posses	ssion of contraband.
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
	16.
	(B). You were given a written notice of the disciplinary violation and a hearing was
held.	
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
	16.
	(C). You were found guilty and given thirty days lock-down and loss of privileges.
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page

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16.
(D). You appealed and the decision was affirmed.
Agree DisagreeWithout knowledge to agree or disagree
If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
16.
29(A). On September 6th you were given a disciplinary for stealing.
Agree Disagree Without knowledge to agree or disagree
If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
18.
(B). You were given a written notice of the disciplinary violation and a hearing was
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ase 5:06-cv-05205-JLH Document 52 Filed 12/14/07 Page 33 of 46 PageID #: 380 held. Agree Disagree Without knowledge to agree or disagree . If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page 18. (C). You were found guilty and given thirty days lock-down and loss of privileges. Agree Disagree Without knowledge to agree or disagree . If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page 18. (D). You appealed and the decision was affirmed. Agree Disagree Without knowledge to agree or disagree . If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page

18.

se 5:0	06-cv-05205-JLH Document 52 Filed 12/14/07 Page 34 of 46 PageID #:
	30(A). On September 27th you were given a disciplinary for placing items on fixtu
not m	neant for that purpose.
	Agree DisagreeWithout knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
	17.
	(B). You were given a written notice of the disciplinary violation and a hearing wa
held.	(-)
neia.	
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain. In explaining, please refer to Defendants' Exhibit 6 at page
	17.
	(C). You were found guilty and given five days lock-down and loss of privileges.
	(C). You were found guilty and given five days lock-down and loss of privileges. Agree Disagree Without knowledge to agree or disagree

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individual capacity, or in both capacities. An official capacity claim is the same as a claim
against the entity for whom the individual works and requires a showing of a custom or
policy. Ordinarily, if you fail to state what capacity you are suing an individual in, the law
presumes you are bringing only an official capacity claim. An individual capacity claim
seeks to hold the individual personally liable. Did you intend to bring an official capacity
claim, an individual capacity claim, or both types of claims against the defendants?
Answer:
33. Each time you were placed on lock-down you were provided with written notice
33. Each time you were placed on lock-down you were provided with written notice of the disciplinary violation, a hearing was held, you were found guilty, and you were given
of the disciplinary violation, a hearing was held, you were found guilty, and you were given
of the disciplinary violation, a hearing was held, you were found guilty, and you were given an opportunity to appeal the decision.
of the disciplinary violation, a hearing was held, you were found guilty, and you were given an opportunity to appeal the decision. Agree Disagree Without knowledge to agree or disagree
of the disciplinary violation, a hearing was held, you were found guilty, and you were given an opportunity to appeal the decision. Agree Disagree Without knowledge to agree or disagree
of the disciplinary violation, a hearing was held, you were found guilty, and you were given an opportunity to appeal the decision. Agree Disagree Without knowledge to agree or disagree
of the disciplinary violation, a hearing was held, you were found guilty, and you were given an opportunity to appeal the decision. Agree Disagree Without knowledge to agree or disagree
of the disciplinary violation, a hearing was held, you were found guilty, and you were given an opportunity to appeal the decision. Agree Disagree Without knowledge to agree or disagree
of the disciplinary violation, a hearing was held, you were found guilty, and you were given an opportunity to appeal the decision. Agree Disagree Without knowledge to agree or disagree

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34(A). You alleg	ge you were denie	d mental health car	re due to being locked-down.
Please explain how you	were denied ment	al health care beca	use you were locked down.
Answer:			
(B). Please state	: (a) who denied	you mental health	care; (b) how you were harmed
•	·		•
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by being denied mental health care; (c) whether you suffered as	ny physical injury as a result of
being denied mental health care; and (d) if you suffered any ph	
injury in detail and how long it took you to recover.	yorour rigury, occorre o uro
Answer:	

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	35. Sheriff Ferguson was not personally involved in any of the incidents mentione
in you	complaint.
	Agree Disagree Without knowledge to agree or disagree
	If you disagree, explain.
	26 Places avalain in datail have you baliave Shariff Farguson violeted your fodor
	36. Please explain in detail how you believe Sheriff Ferguson violated your federa
constit	36. Please explain in detail how you believe Sheriff Ferguson violated your federational rights.
constit	
constit	utional rights.
consti	utional rights.
constit	utional rights.
consti	utional rights.
constit	utional rights.
constit	utional rights.
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consti	utional rights.

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37. Please expla	in in detail how y	ou believe Captain	Petray violated your federal
constitutional rights.	·	•	, ,
Answer:			
Allswei.			

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38. Do you belie	eve a custom or po	olicy of Benton Co	unty was the moving force
behind the violation of y	our federal consti	tutional rights?	
Answer: Yes	No	·	
If you answered	ves, please describ	be in detail the cust	tom or policy and how it
			1
operated to deprive you	of your federal co	nstitutional rights.	

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30 Please evnla	in in detail how w	ou helieve I t. Cart	er violated your federal
	in in detail now yo	ou believe Li. Cart	er violated your rederar
constitutional rights.			
Answer:			

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40.	Please explain	n in detail how v	ou believe Sgt.	Faulkenberry v	violated your fede
				J	,
onstitutior	al rights.				
Ans	wer:				

	41. Please explain in detail how you believe Sgt. Nance violated your federal
onsti	utional rights.
	Answer:

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judgment. If	f you have an	ny exhibits you w	ould like the court	to consider, you may attach	
them to this:	response.				
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I DECLARE UN	DER PENALTY	OF PERJURY TH	AT THE FOREGOING IS
TRUE AND CORRECT			
EXECUTED ON	THIS	_DAY OF	2007.
	-	DAVID LEE D	ANIELS
		16	